

Attorney's Docket No.: 14170-037002 / 25-31-005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hugh R. Sharkey et al.

Art Unit : Unknown

Serial No.: 09/884,859

Examiner: Unknown

Filed

: June 18, 2001

Title

: APPARATUS AND METHOD FOR ACCESSING AND PERFORMING A

FUNCTION WITHIN AN INTERVERTEBRAL DISC

Commissioner for Patents Washington, D.C. 20231

RE-SUBMISSION OF REVOCATION AND NEW POWER OF ATTORNEY

On October 18, 2002, applicants submitted the enclosed Revocation and New Power of Attorney referencing the above-identified application.

Although the undersigned has learned by telephone that the power of attorney may have been processed, no written confirmation has yet been received of our appointment. Accordingly, for the convenience of the U.S. Patent and Trademark Office, applicants are re-submitting the Revocation and New Power of Attorney and respectfully request written acknowledgement of the change in power of attorney for this application.

Form PTO/SB/122 changing the correspondence address for this case is being filed concurrently.

Please also return a date-stamped copy of the enclosed postcard and apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date:

12/18/02

Reg. No. 43,594

Fish & Richardson P.C. 1425 K Street, N.W. 11th Floor

Washington, DC 20005-3500 Telephone: (202) 783-5070

Facsimile: (202) 783-2331

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents Washington, D.C. 20231

REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b) ORATEC INTERVENTIONS, INC., a Delaware corporation, certifies that it is the assignee of 100% of the right, title and interest in the sixty-two (62) patents and patent applications listed on the attached Appendix (Table) by virtue of assignments from the inventors of the patents and patent applications. The assignments for all but one of the sixty-two (62) patents and patent applications were recorded in the Patent and Trademark Office at Reel and Frame numbers provided in the Appendix (Table). The executed assignment for patent application serial number 09/286,271 was not recorded and is, therefore, included with this submission.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the applications and appoints:

Peter J. Devlin, Reg. No. 31,753; John F. Hayden, Reg. No. 37,640; Scott R. Boalick, Reg. No. 42,337; Andrew F. Bodendorf, Reg. No. 39,537; Diana DiBerardino, Reg. No. 45,653; Brian J. Dorini, Reg. No. 43,594; Harold H. Fox, Reg. No. 41,498; William D. Hare, Reg. No. 44,739; Joseph F. Key, Reg. No. 44,827; Phyllis K. Kristal, Reg. No. 38,524; Heather Morin, Reg. No. 37,336; W. Karl Renner, Reg. No. 41,265; Shailaja M. Shirodkar, Reg. No. 50,171; Gregory A. Walters, Reg. No. 41,366; R. Whitney Winston, Reg. No. 44,432; Joel R. Petrow, Reg. No. 30,866; Earl Douglas, Reg. No. 31,723; George K. Stacey, Reg. No. 35,688; and Bill Clemmons, Reg. No. 32,558.

FISH & RICHARDSON P.C. 1425 K Street, N.W. 11th Floor Washington, DC 20005-3500

with full power of substitution and revocation, to prosecute the patent application and to transact all business in the United States Patent and Trademark Office connected with the patents and patent applications.

Per 37 C.F.R. § 10.18(b), the undersigned has reviewed all the documents in the chain of title of the patents and patent applications listed on the attached Appendix (Table), or made an inquiry reasonable under the circumstances, and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

All correspondence regarding the patents and patent applications should be sent to:

Joel R. Petrow Smith & Nephew, Inc. 1450 Brooks Road Memphis, TN 38116

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the applications or any patents issued thereon.

Respectfully submitted,

Date: 40 c + 0 2

By: Joel R. Petrow

Title: / ASSOCIATE GENERAL COUNSEL

ORATEC INTERVENTIONS, INC.

3700 Haven Court Menlo Park, CA 94025

Fish & Richardson P.C. 1425 K Street, N.W. 11th Floor Washington, DC 20005-3500 Telephone: (202) 783-5070

Facsimile: (202) 783-2331

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No.	F&R	Serial	Filing	Inventors	Title	Assignment	Reel/Frame
	Reference	No./Patent No.	Date/Issue Date			Recordation Date	
	14170/002001	09/876,827	6/6/2001	Hugh Sharkey et	INTERVERTEBRAL DISC	10/3/2001	012241/0608
				al.	PREBENT SHEATH		
2	14170/003001	09/876,833	6/6/2001	Kevin To et	INTERVERTEBRAL DISC	10/3/2001	012241/0223
-				al.	DEVICE EMPLOYING		
~	14170/004001	00/876 833	1000/9/9	Usek	LOUPED PROBE	10/2/2001	7000100000
	100400/0/141	20,019,00	0/0/2/001	Sharkev et	DEVICE EMPI OVING	10/3/2001	012235/0836
				al.	FLEXIBLE PROBE		
	14170/005001	09/876,831	6/6/2001	Andy	ELECTROMAGNETIC	10/3/2001	012292/0351
				Uchida et	ENERGY DELIVERY		
				al.	INTERVERTEBRAL DISC		
					TREATMENT DEVICES		
	14170/006001	10/071,470	2/8/2002	Hugh R.	ELECTROSURGICAL	4/29/2002	012866/0727
				Sharkey et	INSTRUMENT HAVING A		
				al.	PREDETERMINED HEAT		
					PROFILE		
	14170/009001	09/488,161	1/20/2000	Hugh	METHOD AND APPARATUS	5/8/2000	010775/0039
				Sharkey, et	FOR STIMULATING NERVE		
				al.	REGENERATION		
	14170/010001	09/624,689	7/24/2000	Marc J.	METHOD AND APPARATUS	10/4/2000	011212/0365
				Philippon	FOR TREATING		
					OSTEOCHONDRAL		
1,					PATHOLOGIES		
	14170/010002	10/215,020	8/9/2002	Marc J.	METHOD AND APPARATUS	10/4/2000	011212/0365
				Fullippon	FOR IREALING		
					OSTEOCHONDRAL		
					PATHOLOGIES		
	14170/011001	08/637,095	4/24/1996	Ronald G.	METHOD AND APPARATUS	8/8/1998	9171/0279
				Lax et al.	FOR CONTROLLED	6/29/1998	9298/0704
					CONTRACTION OF SOFT		
				,	TISSUE		

F&R	Serial	Filing	Inventors	Title	Assignment	Reel/Frame
ference	No./Patent	Date/Issue			Recordation	
	No.	Date			Date	

8664/0222	8664/0222	008975/0295	009103/0730 009103/0753 009297/0268	8289/0040	8975/0281	8975/0281	8664/0222	007993/0234
8/22/1997	8/22/1997	2/17/1998	4/10/1998 4/10/1998 6/23/1998	11/13/1996	2/17/1998	02/17/1998	8/22/1997	5/24/1996
ORTHOPEDIC APPARATUS FOR CONTROLLED CONTRACTION OF COLLAGEN TISSUE	ORTHOPEDIC APPARATUS FOR CONTROLLED CONTRACTION OF COLLAGEN TISSUE	METHOD AND APPARATUS FOR CONTROLLED CONTRACTION OF SOFT TISSUE	METHOD AND APPARATUS FOR CONTROLLED CONTRACTION OF SOFT TISSUE	METHOD AND APPARATUS FOR CONTROLLED CONTRACTION OF SOFT TISSUE	RF APPARATUS FOR CONTROLLED CONTRACTION OF SOFT TISSUE	RF APPARATUS FOR CONTROLLED DEPTH ABLATION OF SOFT TISSUE	ORTHOPEDIC APPARATUS FOR CONTROLLED CONTRACTION OF COLLAGEN TISSUE	METHOD AND APPARATUS FOR SOFT TISSUE FIXATION
James A. Baker Jr. et al.	James A. Baker Jr. et al.	Ronald G. Lax, et al.	Ronald G. Lax, et al.	Hugh Sharkey et al.	James Baker	James Baker	James Baker et al.	Hugh R. Sharkey
7/3/1997	8/9/2002	10/17/1995	10/29/1996	9/17/1996	5/7/1996	7/28/1998	2/17/1995	10/20/1998
08/888,359	10/215,084	5,458,596	5,569,242	08/714,987	5,514,130	5,785,705	08/390,873	5,823,994
14170/012001	14170/012002	14170/013001	14170/013002	14170/014001	14170/015001	14170/015002	14170/016001	14170-017001
10	=	12	13	14	15	16	17	18

	Serial	Filing	Inventors	Title	Assignment	Reel/Frame
ce	No./Patent	Date/Issue			Recordation	
	No.	Date			Date	

WITH RESISTIVE ENERGY I/6/1998 009579/0127 APPARATUS FOR DELIVERY 11/6/1998 009579/0127 OF ENERGY TO A SURGICAL 5/4/1998 009148/0830 SITE 6/4/1998 009148/0830 CLIP ON 5/4/1998 009151/0644 SHAVE DEVICES 4/24/1998 009151/0644 SHAVE DEVICES 8/3/1998 009365/0232 FOR ORTHOPEDIC 8/3/1998 009365/0232 FOR ORTHOPEDIC 8/3/1998 009365/0232 FOR ORTHOPEDIC 8/3/1998 009365/0232 FOR ORTHOPEDIC 8/3/1998 009789/0623 FOR ORTHOPEDIC 8/3/1999 009789/0623 FOR POLICES METHOD AND APPARATUS 4/12/2000 01140/0935 FOR APPLYING THERMAL ENERGY TO TISSUE A/12/2000 010751/0004 ASYMMETRICALLY ARPAPARATUS FOR TREATING 3/30/1998 9070/0619
Y 11/6/1998 5/4/1998 4/24/1998 8/3/1998 12/5/2000 12/5/2000 4/12/2000 3/1/1999
5/4/1998 4/24/1998 12/5/2000 3/1/1999 3/1/1999 3/30/1998
5/4/1998 4/24/1998 8/3/1998 12/5/2000 12/5/2000 4/12/2000
4/24/1998 8/3/1998 12/5/2000 3/1/1999 4/12/2000
4/24/1998 8/3/1998 12/5/2000 3/1/1999 4/12/2000
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KVEKI EBAL DISCS
WITH ELECTROMAGNETIC
ENERGY

F&R	Serial	Filing	Inventors	Title	Assignment	Reel/Frame
eference	No./Patent	Date/Issue			Recordation	
	No.	Date			Date	

009503/0905	9059/0526	010140/0995	011408/0370	009356/0947 010600/0120	009907/0822	009158/0440	009467/0253	010058/0947
9/29/1998	3/23/1998	7/30/1999	11/3/2000	7/27/1998 2/17/2000	4/12/1999	4/20/1998	9/15/1998	6/25/1999
METHOD AND APPARATUS FOR DELIVERING OR REMOVING MATERIAL FROM THE INTERIOR OF AN INTERVERTEBRAL DISC	APPARATUS WITH FUNCTIONAL ELEMENT FOR PERFORMING FUNCTION UPON INTERVERTEBRAL DISCS	METHOD AND APPARATUS FOR TREATING INTERVERTEBRAL DISCS	METHOD AND APPARATUS FOR TREATINGINTERVERTEBRAL DISCS	METHOD FOR MODIFYING THE LENGTH OF A LIGAMENT	METHOD AND APPARATUS FOR THE TREATMENT OF STRABISMUS	METHOD FOR TREATING INTERVERTEBRAL DISC DEGENERATION	METHOD FOR TREATING ANNULAR FISSURES IN INTERVERTEBRAL DISCS	CATHETER FOR DELIVERY OF ENERGY TO A SURGICAL SITE
Hugh R. Sharkey et al	Hugh J. Sharkey et al.	Hugh R. Sharkey et al.	Hugh J. Sharkey et al.	Hugh R. Sharkey et al.	Hugh R. Sharkey	Hugh R. Sharkey et al.	Hugh R. Sharkey et al.	John E. Ashley et al.
8/8/2000	12/28/1999	7/17/2001	11/3/2000	9/21/1999	6/12/2001	8/1/2000	10/3/2000	7/10/2001
6,099,514	6,007,570	6,261,311	09/706,244	5,954,716	6,246,913	6,095,149	6,126,682	6,258,086
14170/022002	14170/023001	14170/023002	14170/023003	14170/024001	14170/026US1	14170/028001	14170/035001	14170/036001
28	29	30	31	32	33	34	35	36

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011850/0006	011849/0973	01202/0349	012235/0838	010662/0207	011283/0892	012348/0843	012383/0276	011854/0145
5/24/2001	5/24/2001	7/25/2001	10/2/2001	3/6/2000	11/6/2000	12/7/2001	12/20/2001	5/25/2001
CATHETER FOR DELIVERY OF ENERGY TO A SURGICAL SITE	CATHETER FOR DELIVERY OF ENERGY TO A SURGICAL SITE	APPARATUS AND METHOD FOR ACCESSING AND PERFORMING A FUNCTION WITHIN AN INTERVERTEBRAL DISC	APPARATUS AND METHOD FOR ACCESSING AND PERFORMING A FUNCTION WITHIN AN INTERVERTEBRAL DISC	METHOD AND APPARATUS FOR DELIVERING ENERGY ADJACENT TO THE INNER WALL OF AN INVERTEBRAL DISC	METHOD FOR TREATING INTERVERTEBRAL DISCS	INFUSION DISPENSER WITH ADJUSTABLE FLOW RATE REGULATOR	FLUID DISPENSING APPARATUS WITH PRESTRESSED BLADDER	SURGICAL INSTRUMENT WITH OFF-AXIS ELECTRODE
John E. Ashley et al.	John E. Ashley et al.	Hugh R. Sharkey et al.	Hugh R. Sharkey et al.	Hugh R. Sharkey et al.	Hugh R. Sharkey et al.	Dongchul D. Hyun	Norman Gortz	Hugh R. Sharkey et al.
2/1/2001	2/1/2001	2/22/2001	6/18/2001	9/18/2001	11/6/2000	5/25/2000	3/26/1996	1/2/2001
09/776,231	09/776,186	09/792,628	09/884,859	6,290,715	09/707,627	09/578,988	RE35,187	09/753,786
14170/036002	14170/036003	14170/037001	14170/037002	14170/038001	14170/038002	14170/039001	14170/042001	14170/044001
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010248/0385	010248/0385	009122/0747 009140/0149	009475/0261	010730/0193	010684/0825	010684/0825		011072/0622	009567/0071 009584/0711 009584/0716
9/13/1999	9/13/1999	4/20/1998	8/11/168	4/10/2000	2/17/2000	2/17/2000	Copy of assignment included	9/5/2000	11/3/1998 11/10/1998 11/10/1998
METHOD AND APPARATUS FOR CONTROLLING A TEMPERATURE- CONTROLLED PROBE	METHOD AND APPARATUS FOR CONTROLLING A TEMPERATURE. CONTROLLED PROBE	ELECTRODE FOR ELECTROSURGICAL COAGULATION OF TISSUE	SURGICAL INSTRUMENT WITH SHAPEABLE SHAFT	SOFT TISSUE HEATING APPARATUS WITH INDEPENDENT COOPERATIVE HEATING SOURCES	SURGICAL INSTRUMENT FOR ABLATION AND ASPIRATION	SURGICAL INSTRUMENT HAVING DISTAL FACE WITH FIRST AND SECOND ELECTRODES	METHOD AND APPARATUS FOR CONTROLLING A TEMPERATURE- CONTROLLED PROBE	MEDICAL HIGH FREQUENCY COAGULATION INST.	CONCAVE PROBE FOR ARTHROSCOPIC SURGERY
Donald P. Kannenberg et al.	Donald P. Kannenberg et al.	Hugh R. Sharkey et al.	Gary S. Fanton et al.	Bruno Strul et al.	Hugh R. Sharkey et al.	Hugh R. Sharkey et al.	Donald P. Kannenberg et al.	Alfred Hagen	Gary S. Fanton et al.
12/19/2000	12/14/2000	1/2/2001	11/26/1997	3/19/2002	4/30/2002	6/29/2001	4/5/1999	1/11/1994	10/24/2000
6,162,217	09/738,944	6,168,593	08/978,884	6,358,273	6,379,350	609/862,606	09/286,271	5,277,696	6,135,999
14170/045001	14170/045002	14170/048001	14170/049001	14170/050001	14170/051001	14170/051002	14170/053001	14170/056001	14170/057001
46	47	. 48	46	20	51	52	53	54	55

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010809/0348	010525/0212	010525/0212	008258/0346	012339/0235	010680/0385	011688/0054
5/16/2000	1/6/2000	1/6/2000	10/21/1996	10/31/2001	4/10/2000	4/11/2001
PROBE WITH DISTALLY ORIENTATED CONCAVE CURVE FOR ARTHOSCOPIC SURGERY	CONCAVE PROBE FOR ARTHROSCOPIC SURGERY	CONCAVE PROBE FOR ARTHROSCOPIC SURGERY	APPARATUS FOR TREATING CHONDROMALACIA	METHOD FOR TREATING TISSUE IN ARTHROSCOPIC ENVIRONMENT	THERMAL PROTECTION FOR METHODS OF TREATING ARTHROSCOPIC PATHOLOGIES	METHOD AND APPARATUS FOR TREATMENT OF DISRUPTED ARTICULAR CARTILAGE
Gary S. Fanton et al.	Gary S. Fanton et al.	Gary S. Fanton et al.	Gary S. Fanton et al.	Mark D. Markel	Mark D. Markel et al.	Hugh R. Sharkey et al.
5/21/2002	6/25/1999	9/13/2002	5/30/2000	10/31/2001	12/31/1999	2/8/2001
6,391,028	09/340,065	Not yet assigned	6,068,628	8/6,996,978	09/476,018	09/780,648
14170/057002	14170/058001	14170/058002	14170/059001	14170/061001	14170/062001	14170/063001
95	27	28	29	09	61	62

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